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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,955	07/21/2004	Motofumi Kashiwagi	4918-0101PUS1	8685
2292 7590 03/01/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER GARRETT, DAWN L	
			ART UNIT 1774	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/01/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/01/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/501,955

Applicant(s)

KASHIWAGI ET AL.

Examiner

Dawn Garrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 and 15-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to the response to the election requirement and amendment filed December 12, 2006 and remarks filed August 21, 2006. Claims 1, 3, 6, and 7 were amended and claims 8-20 were added in the amendment dated August 21, 2006. Claim 1 was amended in the response filed December 12, 2006.
2. Applicant elected perfluorocyclopentene in the response filed December 12, 2006. Claims 8-13 and 15-20 are now withdrawn as non-elected. Claims 1-7 and 14 are currently under consideration.
3. The objections to claims 6 and 7 set forth in the last Office action (mailed March 21, 2006) are withdrawn due to the amendment.
4. The rejection of claims 1-4, 6 and 7 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Levine et al. (US 4,105,298) is withdrawn due to the amendment and arguments presented by applicant.
5. The allowability of claim 5 indicated in the last Office action is withdrawn due to the amendment.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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7. Claims 1, 2 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Anolick et al. (US 6,133,389). Anolick discloses transparent films that may comprise perfluorocyclopentene (see abstract, col. 2, lines 47, and col. 16, line 20). The coatings are used on a variety of substrates such as electronic assemblies (see col. 12, line 1). The transparent films read upon the limitation that the light transmittance is 70% or larger in the visible spectrum.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anolick et al. (US 6,133,389) in view of Nakamura et al. (US 5,427,858). Anolick discloses transparent films that may comprise perfluorocyclopentene (see abstract, col. 2, lines 47, and col. 16, line 20). The coatings are used on a variety of substrates such as electronic assemblies (see col. 12, line 1). Although Anolick discloses using the coating films for electronic devices, Anolick fails to teach specifically their use in organic electroluminescent devices. Nakamura et al. teaches organic electroluminescence devices having a fluorine polymer layer (see title). The polymer layer is formed to protect the outer surface of the electroluminescence device structure (see abstract). The method for forming the layer includes vapor deposition techniques (see col. 3, lines 52-62). The polymer materials included as a vapor deposition source include (see col. 4, lines 31-32) perfluoro comonomers such as perfluoropropene (per claim 8) as well as other

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fluoro polymeric materials (see col. 7, lines 3-4). With regard to the transmittance property in the visible spectrum, Nakamura et al. teaches the protection layer is transparent (see col. 5, lines 4-6). With regard to claims 3, 4, 6, and 7, the EL structure includes an electrode layer (anode or cathode), light emitting layer, a second electrode layer (anode or cathode) and the protective layer in order (see col. 10, line 26 to col. 13, line 14). Nakamura et al. teaches transparent materials for the electrode layers (see col. 10, line 35 to col. 11, line 13 and col. 12, lines 21-26). Although Nakamura et al. only specifically mentions perfluoropropene, Nakamura et al. teaches compounds such as perfluoropropene may be incorporated (see col. 7, lines 3-4). It would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated the fluorine polymer film including perfluorocyclopentene taught by Anolick for the Nakamura et al. device, because one would expect the Anolick film to be useful as the encapsulation film for the Nakamura et al. since it is taught as an encapsulation film for electronic assemblies

Response to Arguments

10. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendments (filed 8/21/06 and 12/12/06) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Dawn Garrett
Primary Examiner
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